

Agenda of the National Type Evaluation Program (NTEP) Committee

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INTRODUCTION

The NTEP Committee will address the following items at its 2004 Interim Meeting. Except when posted, all meetings are open to the membership. The members will be invited to dialogue with the NTEP Committee on issues that the NTEP Committee has on its agenda. The NTEP Committee is currently working on the following issues:

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1. International Organization of Legal Metrology (OIML) Certificate Project

Background: This item is included on the Committee's agenda to provide an update on NTEP's work to issue OIML R 60, "Metrological Regulation for Load Cells" and R 76, "Non-Automatic Weighing Instruments" Certificates.

OIML Certificate System: No new OIML Certificates have been issued by NTEP. The Committee is planning to withdraw this item, preferring to consider the issue in the future as part of the Test Data Exchange Arrangements.

2. Test Data Exchange Agreements

Background/Discussion: This item was included on the Committee's agenda in 1998 to provide an update on NTEP's work to establish bilateral and multilateral agreements. Under such agreements and arrangements, manufacturers would be able to submit their equipment to any of the participating countries for testing to OIML-recommended requirements. The resulting test data would be accepted by other participants, as a basis for issuing each country's own type approval certificate. Following is a report on the three types of test data exchange agreements.

Mutual Acceptance Arrangement (MAA): The OIML MAA document was adopted at the recent CIML meeting in Kyoto, Japan in November 2003. Chuck Ehrlich from the NIST Weights and Measures Division will provide an update on the latest developments with the MAA to the Group. The MAA and Checklists documents can be downloaded from a specially-created WMD web site (http://ts.nist.gov/ts/htdocs/230/235/ilmg/oiml_maa.htm).

Bilateral Agreements: No additional discussions have been held on this topic, pending the outcome of the MAA discussions.

NTEP-Canada Mutual Recognition Program: NTEP and Measurement Canada announced at the 2003 Annual meeting that the MRA related to retail motor fuel dispensers was ready to implement. Applications are now available to submit for these types of evaluations.

NTEP Labs from the US and Measurement Canada have met twice during 2003 to review and update the checklist and test report forms for device evaluated under the MRA for weighing devices. Final drafts of both the checklist and the report forms have been distributed to the labs for final review and approval.

3. Adoption of Uniform Regulation for National Type Evaluation by States

Background/Discussion: The Scale Manufacturers Association (SMA) has hosted NTEP adoption and implementation meetings for state directors at each regional weights and measures association conference. These meetings enable jurisdictions to share information about adopting and implementing NTEP in their respective jurisdictions, encourage non-NTEP jurisdictions to adopt the regulation, and allow current NTEP jurisdictions to share ideas on how to make enforcement more effective and uniform among the States. The meetings also provide NTEP management with information related to areas in which the operation and implementation of the program can be improved. Several questions have been posed at these meetings about issues associated with NTEP interpretation or practice. Comments from 1997 to 2002 have been summarized, without attribution, and are available for review and download on the SMA web site at <http://www.scalemanufacturers.org>.

SMA will also update the NTEP Committee on the status of SMA's drive to assist States to adopt the Uniform Regulation for National Type Evaluation and the Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies.

4. NTEP Participating Laboratories and Evaluations Reports

At the 2004 NCWM Interim Meeting, Stephen Patoray, NTEP Director will update the Committee on NTEP laboratory and administrative activities since October 1, 2002. A report of NTEP Laboratory Activities will be distributed at the 2004 NCWM Interim Meeting.

The NTEP Weighing and Measuring Laboratories held a joint meeting in April 2003 in Sacramento, CA. Mr. Patoray reported that the agenda topics for this meeting focused heavily on technical training issues for the laboratories. The NTEP Weighing Laboratories also met September 11, 2003, before the meeting of the Weighing Sector in Fresno, CA.

The NTEP Measuring Laboratories met October 3, 2003, prior to the annual meeting of the Measuring Sector in Charlotte, NC. The next laboratory meeting is planned for April 25 through 28, 2004, in Ottawa, Canada.

5. NTETC Sectors Reports

The Committee will hear an update on the activities of the National Type Evaluation Technical Committee (NTETC) Sectors at the 2004 NCWM Interim Meeting. Outlined below is a brief summary of Sector activities since the 2003 NCWM Annual Meeting.

Grain Moisture Meter and NIR Protein Analyzer Sectors: The NTETC Grain Moisture Meter and NIR Protein Analyzer Sectors held a joint meeting in Kansas City, MO on August 20-22, 2003. A summary of these joint meetings was distributed to Sector members in October 2003. A draft of the final summary will be provided to the Committee prior to the 2004 NCWM Interim Meeting for review and approval.

The next meeting of the Grain Moisture Meter and NIR Protein Analyzer Sectors is scheduled for August 2004 in Kansas City, MO. For questions on the current status of Sector work or to propose items for a future meeting, please contact the Sector Technical Advisors, Diane Lee, NIST WMD, or Jack Barber, J.B. Associates. Ms. Lee can be reached by telephone at 301-975-4405, by fax at 301-926-0647, by e-mail at diane.lee@nist.gov, or in writing at NIST, 100 Bureau Drive – Stop 2600, Gaithersburg, MD 20899-2600. Mr. Barber can be reached by telephone at 217-483-4232, by fax at 217-483-3712, by e-mail at jbarber@cityscape.net, or in writing at J.B. Associates, 10349 Old Indian Trail, Glenarm, IL 62536.

Measuring Sector: The NTETC Measuring Sector met October 3-4, 2003, in Charlotte, NC. A draft of the final summary of that meeting was distributed to the Sector in November 2003. A draft of the final summary will also be provided to the NTEP Committee prior to the 2004 NCWM Interim Meeting for review and approval.

The next meeting of the Measuring Sector is scheduled for October 2004 in conjunction with the Southern Weights and Measures Association's Annual Meeting. For questions on the current status of Sector work or to propose items for a future meeting, please contact the Sector Technical Advisor Richard Suiter, NIST WMD. Mr. Suiter can be reached by telephone at 301-975-4406, by fax at 301-926-0647, by e-mail at rsuiter@nist.gov, or in writing at NIST, 100 Bureau Drive – Stop 2600, Gaithersburg, MD 20899-2600.

Weighing Sector: The NTETC Weighing Sector met September 11-13, 2003, in Fresno, CA. A draft summary will be distributed to Sector members in early December 2003. A final draft of the meeting summary will also be provided to the Committee prior to the 2004 NCWM Interim Meeting for review and approval.

The next Weighing Sector meeting is scheduled for September 2004 in Canada. For questions on the current status of Sector work or to propose items for a future meeting, please contact the Sector Technical Advisor Steven Cook, NIST WMD. Mr. Cook can be reached by telephone at 301-975-4003, by fax at 301-926-0647, by e-mail at stevenc@nist.gov, or in writing at NIST, 100 Bureau Drive – Stop 2600, Gaithersburg, MD 20899-2600.

NTETC Sector Summaries: The NTEP Committee will receive copies of the summaries prior to the NCWM Interim Meeting for their review and approval. The NTETC Sector summaries will continue to be included as appendices in the NCWM Annual Reports. Additionally, future Interim Agendas and Committee Reports will state that the NTETC Sector summaries are available upon request from NCWM and NIST.

6. NTEP Participation in US National Working Group on Harmonization of NIST HB 44, NCWM Publication 14 and OIML R76 and R60.

In August 2003, Ross Andersen, NTEP Committee Chair, Steve Patoray, NTEP Director, and other representatives from various NTEP laboratories and States accepted an invitation from NIST to attend a US National Working Group meeting on OIML TC9/SC1.

In October 2003, Ross Andersen presented information to the NCWM Board of Directors and the NTEP Committee related to his attendance at the August meeting of the OIML TC9/SC1 US National Working Group. He stated that the two days of meetings were very productive and provided the group with a clear idea of the road ahead in harmonizing the scales code with OIML. The work group reviewed and prioritized items from the comparison of US and OIML requirements prepared by John Elengo under contract to NIST.

The Working Group supplied Chuck Ehrlich's group with a good list of topics to take HB44 and Pub 14 concepts to OIML as part of the upcoming revision of R76. The Working Group also formulated plans to bring several items to appropriate Committees for changes to HB 44 and to Pub 14. This is in line with the NCWM Strategic Plan for harmonization with International Standards. These items would be introduced and handled through the normal NCWM process to assure that due process is observed. Steve Cook is preparing a summary report of the August meeting.

NIST has contracted for another comparison study on liquid measuring devices.

7. Mix and Match Elements

At the October 2003 NCWM Board Meeting, Ross Andersen updated the Board on an item brought forward by the State of Arkansas which indicates the need to clearly address Mix and Match elements.

This is an item that is in its initial stages of development. It seems clear that the practice of mix and matching elements has been going on in the US for longer than the NTEP program has existed. There are numerous references in the Conference Proceedings and in the technical policy to issuing certificates to both devices and elements. Primarily this affects combinations of load cells, weighbridges and digital indicators. However, the subject also includes liquid measuring devices (meters and registers), taximeters, and a growing list of other device types.

It was stated that NCWM should make formal changes to clarify that combinations of separately approved elements may be joined to produce a device. At the same time, NCWM should take some steps to further define "compatible." At present HB44 does not directly address this issue. When considering a change, NCWM should also consider making changes to HB44 to adopt the OIML method of apportioning errors.

Ross Andersen indicated that the issue has been discussed at the regional level and proposals have been sent to the L&R Committee to make necessary changes to the URNTE to formally recognize mix and match.

8. NCWM Publication 14, Administrative Policy on Pre-NTEP Certificates of Conformance

Proposal: Amend NCWM Publication 14, Administrative Policy

At the October 2003 NCWM Board Meeting, Ross Andersen updated the Board on an item related to a request for an amendment to a Pre-NTEP Certificate of Conformance. The present policy on modification of Pre-NTEP Certificates is contained in the 1999 Report of the 84th Conference. Page NTEP-15 item 501-13 Expansion of Pre-NTEP Certificates of Conformance. This policy does not currently appear in NCWM Publication 14 due to oversight, but is considered valid. The new proposal would include the policy adopted in 1999 as shown in the first paragraph of Section J.4, with the addition of the second paragraph.

The details of this particular request cannot be presented in this report, due to confidentiality. In general terms; however, the issue involves a device that was evaluated prior to NTEP issuing Certificates. Initially this device was granted a pre-NTEP CC, as was the policy in place at that time. The Administrative Policy was amended in 1999 with the passage of the above item 501-13. But this policy gives no latitude for expanding the parameters of a pre-NTEP Certificate even if valid data and a full test report are available from the pre-NTEP evaluation.

The Committee discussed the current NTEP Policy on pre-NTEP Certificates of Conformance, and suggests amending it to make allowances for review of the previous test data on the device in question. Based on the actual test data, test methods used, current NTEP policy on evaluation and the results, possible expansion of pre-NTEP Certificates without additional evaluation could be allowed.

Proposed Language change to NCWM Publication 14, Administrative Policy

J. Variations in Type Evaluation

J.4. Expansion of Pre-NTEP Certificates of Conformance

Certificates of Conformance (CCs) issued as a result of type evaluation testing performed prior to the establishment of NTEP, that is Certificates that were originally issued as “pre-NTEP” CCs, may cover ranges of parameters within those included on the original pre-NTEP type approval certificates. The parameters covered must be within those allowed by the technical policy for the individual device type; parameters include elements such as device capacity, platform size, n_{\max} , product type, etc. Pre-NTEP CCs cannot be expanded to cover parameters beyond those listed on the pre-NTEP type approval certificates without additional testing.

Upon written application filed with NTEP by the applicant, NTEP may grant exceptions to the provisions of this section when the applicant on such application provides evidence acceptable to NTEP that such exceptions are appropriate and maintain the integrity of the NTEP Certificate of Conformance. The decision to grant exceptions shall be based on information including, but not limited to, actual test data, test methods used, and current NTEP policy on evaluation and results.

Ross Andersen, New York, NTEP Committee Chairman
Dennis Ehrhart, Arizona, NCWM Chairman
Dave Frieders, San Francisco, CA, NCWM Chairman-Elect
Don Onwiler, Nebraska
Stephen Pahl, Texas

NTEP Technical Advisor: S. Patoray, NTEP Director

National Type Evaluation Program Committee